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Date of Deposit: January 30, 2002

ATTORNEY'S DOCKET NO: W00528/70010 JNA

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Drumm
Serial No: 09/966,031
Filed: September 28, 2001
For: PORTABLE BAR CODE SIMULATOR DEVICE AND METHOD

Examiner: Not yet assigned
Art Unit: 2876

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

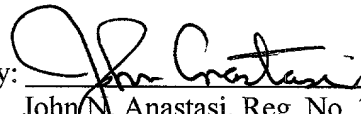
Transmitted herewith for filing are the following documents.

- ☒ Copy of Notice of Omitted Items in a Non-Provisional Application
- ☒ Petition for Original Filing Date in Response to Notice of Omitted Items
- ☒ Preliminary Amendment
- ☒ Marked-Up Specification
- ☒ Letter to Official Draftsperson
- ☒ Fourteen (14) sheets of Formal Drawings, Figs. 1-15
- ☒ Fourteen (14) Sheets of Proposed Drawing Corrections marked in red
- ☒ Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

The Petition fee of \$130.00 as set forth in 37 C.F.R. §1.17(i) is enclosed. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Donald E. Drumm, Applicant

By: 
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Docket No. W00528/70010 JNA
Dated: January 30, 2002
x01/30/02



#3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/966,031	09/28/2001	Donald E. Drumm	W00528/70010 JNA

CONFIRMATION NO. 4581

FORMALITIES LETTER



OC00000007143490

23628
WOLF GREENFIELD & SACKS, PC
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BOSTON, MA 02210-2211

Date Mailed: 11/30/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 2B described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

[illegible]